

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| | | |
|-------------------------------------|---|-------------------------------|
| IN RE: |) | |
| |) | Case No. 19-20715 JAD |
| Stephen R. Fisher, |) | Chapter 13 |
| Cynthia M. Fisher, |) | |
| <i>Debtors</i> |) | |
| |) | Related to Docket No. 34 & 36 |
| US Bank Trust National Association, |) | |
| <i>Movant</i> |) | |
| |) | |
| Vs. |) | |
| |) | |
| Stephen R. Fisher, |) | |
| Cynthia M. Fisher, and |) | |
| Ronda Winnecour, Trustee, |) | |
| <i>Respondents</i> |) | |

ANSWER TO MOTION FOR RELIEF FROM AUTOMATIC STAY

AND NOW, come the debtors, Stephen and Cynthia Fisher, by and through their attorney, Kenneth Steidl, and Steidl and Steinberg, and respectfully represent as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. Denied. The debtors are making their payments to the Chapter 13 Trustee and as of August 31, 2019 their plan payments were fully current. In addition, the plan was just confirmed on a final basis at the conciliation conference that was held in this case on September 16, 2019. A copy of the payment history and the final confirmation order are attached hereto, made a part hereof and labeled Exhibit "A."
9. Denied. As can be seen from the Trustee's case status report for this case, the debtors plan payments were fully current as of the end of August 2019.

10. Denied. This Motion for Relief from Stay should never had been filed in this case. It is certainly not too much to ask the Movant's attorney to check the posture of the case to make sure that the payments are being made and that the plan has been confirmed. These matters are public records and they access to the Trustee's website to check on the payment history.
11. Denied. Relief from Stay should not be granted and this Motion should have never been filed because the debtors are current on their payments to the Chapter 13 Trustee.
12. Denied. This Movant is not entitled to Relief from Stay and in fact should be charged for filing this Motion and wasting the debtor's attorney's time, and the Court's time, and the Trustee's time.
13. Denied. Relief from Stay should not be granted because the debtors are making their payments and they're fully current.

WHEREFORE, the debtors, Stephen and Cynthia Fisher, respectfully request this Honorable Court to deny this Motion For Relief From Stay.

Respectfully submitted,

September 25, 2019
DATE

/s/ Kenneth Steidl
Kenneth Steidl, Esquire
Attorney for the Debtor
STEIDL & STEINBERG
707 Grant Street – 28th Floor
Pittsburgh, PA 15219
(412) 391-8000
PA I. D. No. 34965
Ken.Steidl@steidl-steinberg.com